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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/716,521	11/20/2003	Yuan Lin	BHT-3088-105	6868

7590 05/10/2005

BRUCE H. TROXELL  
SUITE 1404  
5205 LEESBURG PIKE  
FALLS CHURCH, VA 22041

EXAMINER

CRANSON JR, JAMES W

ART UNIT	PAPER NUMBER
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2875

DATE MAILED: 05/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/716,521

Applicant(s)

LIN, YUAN

Examiner

James W. Cranson

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 18 April 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) 3-5, 7-10, 13-15, 19, 20 and 22-28 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 12, 16-18, 21 and 29 is/are allowed.
- 6) ☒ Claim(s) 1, 2, 6-8 and 11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 11/20/03
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Election/Restrictions***

Applicant's election of Species I, claims 1,2,6-8,11,12,16-18,21, and 29, in the reply filed on 4/18/05 is acknowledged. Because applicant did not distinctly and specifically point out any errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)). The requirement is deemed proper and is therefore made FINAL.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by USPN 6,830,358 to Allen or USPN 5,155,669 to Yamuro.

Allen discloses an LED light string with two or more electrical wires, plural illuminating units coupled between wires, plural LEDs, illuminating units connected in parallel whereby illuminating units are sequentially illuminated.

Regarding claim 1;

An elongated rope light comprising:

Two or more electrical wire longitudinally extended therealong (figure 2B) and one or more pairs of first and second illuminating units (50, figure 2B), each pair being electrically coupled between any two electrical wires(50, figure 2B), each illuminating unit including plural LEDs (ABSTRACT), first and second units connected parallel

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(ABSTRACT), whereby applying an ac will sequentially light first and second illuminating units(column 5, lines 8-16).

Regarding claim 2, according to claim 1, wherein number of electrical wires is two and number of illuminating units is two (figure 2B shows two wires with each wire having two illuminating units.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 6- 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 6,830,358 to Allen.

Regarding claims 6-8, wherein rope light has section of square, or a section of flat rectangle, or a section of oval.

Allen discloses the claimed invention except that Allen's housing is not has section of square, or a section of flat rectangle, or a section of oval. It would have been obvious to one of ordinary skill in the art at the time of the invention to provide Allen a housing that has section of square, or a section of flat rectangle, or a section of oval because it has been held that lacking any criticality, changing the form or shape of prior art parts does not make the claimed invention patentable over that prior art ( *In re Dailey*, 149USPQ 47).

Claim11 is rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 6,830,358 to Allen in view of US 2005/0024834 A1 to Newby

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Regarding claim 11, according to claim 1, wherein the LED is surface mounted on a circuit board by soldering extended conductive wires of the LED on the circuit board.

Allen does not disclose the type of LED in the LED light string or the method of attaching the LED.

Newby teaches the use of the method and apparatus for soldering surface mounting type package LEDs on printed circuit boards.

It would have been obvious to one of ordinary skill in the art at the time of invention to use the teaching of Newby in Allen and have surface mounted package LEDs that are soldered on PCB in Allen. The reason is ease of manufacture.

***Allowable Subject Matter***

Claims 12,16-18,21 and 29 are allowed.

The following is an examiner's statement of reasons for allowance: Claim 12 has an elongated rope light comprising, mounting strap having axial groove and two side ridges, first and second wires extended along ridges, first and second illuminating units on groove, each unit electrically coupled between wires and including plural LEDs fixed on PCB where LEDs are coupled in series, first LED coupled to positive terminal of unit, last LED coupled to negative terminal of unit, positive terminal of first unit is coupled to first wire, negative terminal coupled to second wire, positive terminal of second unit is coupled to second wire and negative terminal is coupled to first wire and outer cover layer for enclosing first and second wires and first and second units by injection molding, whereby applying positive voltage causes sequential lighting of illuminating units.

These limitations are not found or taught in the art of record.

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Claims 16-18,21 and 29 depend from claim 12 and are allowable for the same reasons.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### *Conclusion*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure is USPN 6,604,841 to Liu.

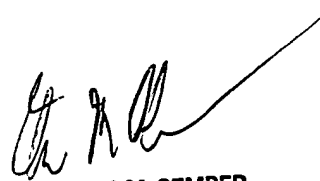
Any inquiry concerning this communication or earlier communications from the examiner should be directed to James W. Cranson whose telephone number is 571-272-2368. The examiner can normally be reached on Mon-Fri 8:30A.M.- 5:00P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandy O'Shea can be reached on 571-272-2378. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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THOMAS M. SEMBER  
PRIMARY EXAMINER